



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/380,812 11/23/99 OKUZAWA

K 00169/P17508

EXAMINER

IMS2/0301

WENDEROTH LIND & PONACK
2033 K STREET NW
SUITE 800
WASHINGTON DC 20006

GALLAGHER, J

ART UNIT

PAPER NUMBER

1733

DATE MAILED:

03/01/01

Please find enclosed
proceeding.

Commissioner of Patents and Trademarks

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Office Action Summary

Application No.

09/380812

Applicant(s)

Examiner

Group/Art Unit

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☐ Responsive to communication(s) filed on _____.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1 - 4 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1 - 4 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☒ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

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1. Applicants Preliminary Amendment, filed 23 November 1999, has been received and made of record.

2. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

3. The disclosure is objected to because of the following informalities: (a) page 2 line 28- change "on" to "in"; and (b) page 11 can apparently be deleted in its entirety, the reference numerals having been (already) explained in the body of the specification ie in the discussion of the drawing figure.

Appropriate correction is required.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over either BARTON et al or Mac DONALD et al, each in view of either MUSCH et al or BATEMAN.

BARTON et al (abstract) and MacDONALD et al (col 1 lines 1-7 and 42-53) both disclose that blends/mixtures of polychloroprene and a chlorinated polyolefin (eg PE) are known.

MUSCH et al (col 1 lines 46-55) and BATEMAN (col 1 lines 23-26 and 62-68, col. 2 lines 1-8) disclose, respectively, that (a) the term/material "polychloroprene" encompasses within its scope and definition copolymers of chloroprene with eg. methacrylic acid viz. carboxylated

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polychloroprene; and (b) such copolymers exhibit/possess excellent/improved properties, such that it would have been obvious to one of ordinary skill in this art to employ such conventional chloroprene copolymers in/in conjunction with the compositions of either of the two primary references in place of the corresponding, analogous chloroprene polymers employed therein; mere use/ substitution of one known (and apparently superior) chloroprene polymer for another involved.

6. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over NONAKA in view of either BARTON et al or MacDONALD et al, further in view of either MUSCH et al or BATEMAN, and still further in view of WOLFE.

NONAKA disclose that is known to adhere loudspeaker components to a loudspeaker base/diaphragm composed of polypropylene utilizing a rubber based adhesive. (abstract, col. 1 lines 13-19, col. 2 lines 65-66).

WOLFE discloses that blends/mixtures of polychloroprene and polyolefin resins find utility as adhesives (abstract, col. 2 lines 18-37, N.B. col. 4 lines 20-22), such that it would have been obvious to one of ordinary skill in this art to employ the compositions of either BARTON et al or MacDONALD et al (as modified by either MUSCH et al or BATEMAN) in the process of NONAKA ie as the rubber based adhesive provided for therein, in view of the adhesive affinity/utility exhibited by these blends as documented in WOLFE. Further along this line, it is advanced that those of ordinary skill in this art would appreciate that the presence/incorporation

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of a carboxyl group in an (eg polychloroprene) resin would result in an increase in adhesiveness being exhibited/possessed thereby, in view of the polarity and functionality of such a group.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. J. GALLAGHER whose telephone number is (703) 308-1971. The examiner can normally be reached on M-F from approximately 8:30 A.M. to 5 P.M. The examiner can also be reached on alternate N/A.

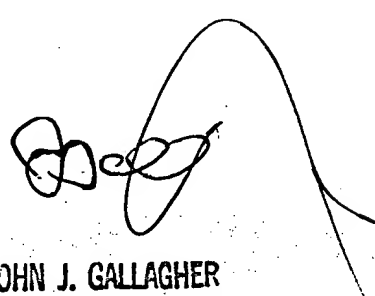
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MICHAEL BALL, can be reached on (703) 308-2058. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3599.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661/0662.

JJG
Gallagher/af

6-28-01

February 27, 2001


JOHN J. GALLAGHER
PRIMARY EXAMINER

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